

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

THOMAS DeWAYNE EDWARDS

Petitioner

VS.

Warden DONALD JACKSON,

Respondent

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NO. 7:09-cv-36 (HL)

ORDER

Before the Court is petitioner **THOMAS DeWAYNE EDWARDS'S** notice of appeal, construed as a motion for a Certificate of Appealability ("COA"), from the Court's February 11, 2010 order, which adopted Magistrate Judge G. Mallon Faircloth's recommendation that petitioner's 28 U.S.C. § 2254 motion be denied. Under section 2253(c)(2), a COA may issue only if the applicant makes "a substantial showing of the denial of a constitutional right." This requires a petitioner to demonstrate that "reasonable jurists would find the district court's assessment of the constitutional claims debatable or wrong." *See also Slack v. McDaniel*, 529 U.S. 473, 478 (2000).

For the reasons stated in Magistrate Judge Faircloth's recommendation and this Court's order accepting the same, the Court finds reasonable jurists could not find that a dismissal of petitioner's claims was debatable or wrong. Accordingly, it is hereby **ORDERED** that petitioner's application for a COA be **DENIED**.

SO ORDERED, this 16th day of March, 2010.

s/ *Hugh Lawson*

HUGH LAWSON

UNITED STATES DISTRICT JUDGE

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